

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

DARRYL R. CHAMBERS,

Plaintiff,

vs.

DELA CRUZ, Case Manager, Tecumseh State Prison, All employed at Lincoln Correctional Center; SCOTT FRAKES, Director, All employed at Lincoln Correctional Center; CATHY SHEIR, Warden, All employed at Lincoln Correctional Center; SHERWOOD, Case Manager, All employed at Lincoln Correctional Center; HARDY, Corporal, All employed at Tecumseh Correctional Center; PAM HILLMAN, All Employed at Tecumseh Correctional Center; JOHN DOE NOS. 1-5, and CRAIG GABLE, Warden,

Defendants.

4:19-CV-3047

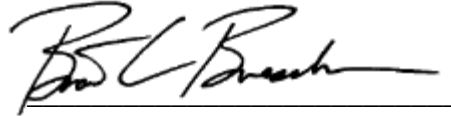
**ORDER DISMISSING DEFENDANT
JANE HARDY IN HER INDIVIDUAL
CAPACITY FOR LACK OF
PROSECUTION**

On July 25, 2022, Defendant Jane Hardy filed a Motion to Dismiss Plaintiff Darryl R. Chambers's claims against her in her individual capacity pursuant to Federal Rules of Civil Procedure 12(b)(5) and 4(m) for insufficient and lack of timely service of process. [Filing 148](#). Chambers has not filed a brief in opposition. In a Show Cause Order, [Filing 151](#), filed September 2, 2022, the Court ordered that, within seven days of September 2, 2022, Chambers was required to file a brief in opposition to Defendant Hardy's Motion to Dismiss or otherwise show cause why his claims against Hardy in her individual capacity should not be dismissed for lack of prosecution. The Court warned Chambers that his failure to comply with the Show Cause Order might lead to dismissal of his claims against Hardy in her individual capacity without further notice. Chambers filed no response to the Show Cause Order. Accordingly,

IT IS ORDERED that Defendant Hardy's Motion to Dismiss, [Filing 148](#), is granted and Plaintiff Chambers's claims against Defendant Hardy in her individual capacity are dismissed for lack of prosecution.

Dated this 14th day of September, 2022.

BY THE COURT:

A handwritten signature in black ink, appearing to read 'B. C. Buescher', written over a horizontal line.

Brian C. Buescher
United States District Judge